

## 49 U.S.C.A. § 48103

United States Code Annotated CurrentnessTitle 49. Transportation (Refs & Annos)

Subtitle VII. Aviation Programs

Part C. Financing

        Chapter 481. Airport and Airway Trust Fund Authorizations (Refs & Annos)    **→§ 48103. Airport planning and development and noise compatibility planning and programs**

The total amounts which shall be available after September 30, 2003, to the Secretary of Transportation out of the Airport and Airway Trust Fund established under section 9502 of the Internal Revenue Code of 1986 (26 U.S.C. 9502) to make grants for airport planning and airport development under section 47104 of this title, airport noise compatibility planning under section 47505(a)(2) of this title, and carrying out noise compatibility programs under section 47504(c) of this title shall be--

- (1) \$3,400,000,000 for fiscal year 2004;
- (2) \$3,500,000,000 for fiscal year 2005;
- (3) \$3,600,000,000 for fiscal year 2006; and
- (4) \$3,700,000,000 for fiscal year 2007.

[**(5) Repealed.** Pub.L. 108-176, Title I, § 101(a)(2), Dec. 12, 2003, 117 Stat. 2494]

Such sums shall remain available until expended.

## CREDIT(S)

(Added Pub.L. 103-272, § 1(e), July 5, 1994, 108 Stat. 1296, and amended Pub.L. 103-305, Title I, § 101(a), Aug. 23, 1994, 108 Stat. 1570; Pub.L. 104-264, Title I, § 101(a), Oct. 9, 1996, 110 Stat. 3216; Pub.L. 105-277, Div. C, Title I, § 110(b)(1), Oct. 21, 1998, 112 Stat. 2681-587; Pub.L. 106-6, § 2(a), Mar. 31, 1999, 113 Stat. 10; Pub.L. 106-31, Title VI, § 6002(a), May 21, 1999, 113 Stat. 113; Pub.L. 106-59, § 1(a), Sept. 29, 1999, 113 Stat. 482; Pub.L. 106-181, Title I, § 101(a), Apr. 5, 2000, 114 Stat. 65; Pub.L. 108-176, Title I, § 101(a), Dec. 12, 2003, 117 Stat. 2494.)

## HISTORICAL AND STATUTORY NOTES

## Revision Notes and Legislative Reports

**1994 Acts.**

48103 . . . . 49	Sept. 3, 1982, Pub.L. 97-248, § 503(a)(24), 96 Stat. 674; Dec. 30, 1987, Pub.L. 100-223, § 103(c)(1), 101 Stat. 1488.
49 App.:2204(a) (2d sentence).	Sept. 3, 1982, Pub.L. 97-248, § 505(a) (2d sentence), 96 Stat. 676; Jan. 6, 1983, Pub.L. 97-424, § 426(b)(1) to (5), 96 Stat. 2167; restated Dec. 30, 1987, Pub.L. 100-223, § 105(e), 101 Stat. 1493; Nov. 5, 1990, Pub.L. 101-508, § 9104(1), 104 Stat. 1388-355; Oct. 31, 1992, Pub.L. 102-581, § 102(a), 106 Stat. 4876.

In this section, references to the aggregate amounts for fiscal years ending before October 1, 1987 to 1992, are omitted as obsolete. The words "of which \$475,000,000 shall be credited to the supplementary discretionary fund established by section 2206(a)(3)(B)" are omitted as executed. In restating section 505(a)(2d sentence) of the Airport and Airway Improvement Act of 1982 (Public Law 97-248, 96 Stat. 676), the cross-reference to the discretionary fund was retained but is incorrect because of the restatement of section 507 of the Airport and Airway Improvement Act of 1982 (Public Law 97-248, 96 Stat. 679) by section 426(a) of the Highway Improvement Act of 1982 (Public Law 97-424, 96 Stat. 2167). See section 47115 of the revised title. House Report No. 103-180.

House Report No. 103-240 and House Conference Report No. 103-677, see 1994 U.S. Code Cong. and Adm. News, p. 1676.

1996 Acts. House Report No. 104-714 and House Conference Report No. 104- 848, see 1996 U.S. Code Cong. and Adm. News, p. 3658.

1998 Acts. Statement by President, see 1998 U.S. Code Cong. and Adm. News, p. 582.

1999 Acts. House Conference Report No. 106-143 and Statement by President, see 1999 U.S. Code Cong. and Adm. News, p. 27.

Statement by President, see 1999 U.S. Code Cong. and Adm. News, p. 92.

2000 Acts. House Conference Report No. 106-513 and Statement by President, see 2000 U.S. Code Cong. and Adm. News, p. 80.

2003 Acts. House Conference Report No. 108-334 and Statement by President, see 2003 U.S. Code Cong. and Adm. News, p. 2212.

#### Amendments

2003 Amendments. Pub.L. 108-176, § 101(a)(1), struck out "September 30, 1998" and inserted "September 30, 2003".

Pars. (1) to (4). Pub.L. 108-176, § 101(a)(2), rewrote pars. (1) to (4), which formerly read:

"(1) \$2,410,000,000 for fiscal year 1999;

"(2) \$2,475,000,000 for fiscal year 2000;

"(3) \$3,200,000,000 for fiscal year 2001;

"(4) \$3,300,000,000 for fiscal year 2002; and"

Par. (5). Pub.L. 108-176, § 101(a)(2), struck out former par. (5), which read: "\$3,400,000,000 for fiscal year 2003."

2000 Amendments. Pub.L. 106-181, § 101(a), struck out "shall be \$2,410,000,000 for the fiscal year ending September 30, 1999." and added "shall be--", pars. (1) to (5) and the flush sentence at the end.

1999 Amendments. Pub.L. 106-59, § 1(a), struck out "\$2,050,000,000 for the period beginning October 1, 1998 and ending August 6, 1999." and inserted "\$2,410,000,000 for the fiscal year ending September 30, 1999."

Pub.L. 106-31, § 6002(a), substituted "\$2,050,000,000 for the period beginning October 1, 1998 and ending August 6, 1999." for "\$1,607,000,000 for the 8-month period beginning October 1, 1998."

Pub.L. 106-6, § 2(a), struck out "\$1,205,000,000 for the six-month period beginning October 1,

1998.", and inserted "\$1,607,000,000 for the 8-month period beginning October 1, 1998."

**1998 Amendments.** Pub.L. 105-277, § 110(b)(1), substituted "September 30, 1998" for "September 30, 1996" and substituted "\$1,205,000,000 for the six- month period beginning October 1, 1998" for "\$2,280,000,000 for fiscal years ending before October 1, 1997, and \$4,627,000,000 for fiscal years ending before October 1, 1998".

**1996 Amendments.** Pub.L. 104-264, § 101(a), substituted "September 30, 1996" for "September 30, 1981" and provisions relating to amounts available for fiscal years ending before Oct. 1, 1997 and Oct. 1, 1998, for provisions relating to amounts available for fiscal years ending before Oct. 1, 1994, Oct. 1, 1995, and Oct. 1, 1996.

**1994 Amendments.** Pub.L. 103-305, § 101(a), substituted "The total amounts which shall be available after September 30, 1981, to the Secretary of Transportation" for "Not more than a total of \$15,966,700,000 is available to the Secretary of Transportation for the fiscal years ending September 30, 1982- 1993," and inserted "shall be \$17,583,500,000 for fiscal years ending before October 1, 1994, \$19,744,500,000 for fiscal years ending before October 1, 1995, and \$21,958,500,000 for fiscal years ending before October 1, 1996" following "section 47504(c) of this title".

#### Effective and Applicability Provisions

**2003 Acts.** Except as otherwise provided, amendments by Pub.L. 108-176 applicable to fiscal years beginning after Sept. 30, 2003, see Pub.L. 108- 176, § 3, set out as a note under 49 U.S.C.A. § 106.

**2000 Acts.** Amendment by Pub.L. 106-181 applicable only to fiscal years beginning after September 30, 1999, see section 3 of Pub.L. 106-181, set out as a note under section 106 of this title.

**1996 Acts.** Except as otherwise specifically provided, Pub.L. 104-264 and the amendments made by Pub.L. 104-264 applicable only to fiscal years beginning after Sept. 30, 1996, and not to be construed as affecting funds made available for a fiscal year ending before Oct. 1, 1996, see section 3 of Pub.L. 104- 264, set out as a note under section 106 of this title.

#### Airport and Airway Trust Fund Guarantee

The total budget resources made available from the Airport and Airway Trust Fund each year through fiscal year 2003 pursuant to this section, shall be equal to the level of receipts plus interest credited to the Airport and Airway Trust Fund for that fiscal year, and such amounts used only for certain aviation investment programs, see Pub.L. 106-181, Title I, § 106(a) to (c), Apr. 5, 2000, 114 Stat. 72, set out as a note under section 48101 of this title.

#### Notice of Grants

Pub.L. 106-181, Title I, § 159, Apr. 5, 2000, 114 Stat. 90, provided that:

**"(a) Timely announcement.**--The Secretary shall announce a grant to be made with funds made available under section 48103 of title 49, United States Code, in a timely fashion after receiving necessary documentation concerning the grant from the Administrator.

**"(b) Notice to committees.**--If the Secretary provides any committee of Congress advance notice of a grant to be made with funds made available under section 48103 of title 49, United States Code, the Secretary shall provide, on the same date, such notice to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate."

[Amendment by Pub.L. 106-181 applicable only to fiscal years beginning after September 30, 1999, see section 3 of Pub.L. 106-181, set out as a note under section 106 of this title.]

## CROSS REFERENCES

## Airport improvement--

"Amount made available under section 48103 of this title" defined as amount authorized for grants under this section less reductions, see [49 USCA § 47102](#).

"Amount subject to apportionment" defined as amount newly made available under this section for fiscal year for purposes of apportionments, see [49 USCA § 47114](#).

Discretionary fund amounts from amounts made available under this section, see [49 USCA § 47115](#).

Grant obligations incurred to make grants from amounts under this section, see [49 USCA § 47104](#).

Land acquisition grants additional to amount made available under this section, see [49 USCA § 47107](#).

Letters of intent estimated amount not more than amount authorized to carry out this section, see [49 USCA § 47110](#).

Minority and disadvantaged business participation expenditures as percentage of amounts available under this section, see [49 USCA § 47113](#).

Small airport fund amounts distributed for any purpose for which amounts made available under this section, see [49 USCA § 47116](#).

Use of apportioned amounts under this section, see [49 USCA § 47117](#).

Airport noise compatibility planning grants made from amounts available under this section, see [49 USCA § 47505](#).

Noise compatibility program project grant obligations incurred from amounts available under this section, see [49 USCA § 47504](#).

## LIBRARY REFERENCES

## American Digest System

Appropriations of federal funds in general, see [United States](#) ⇔85.

Environmental protection; noise pollution, see [Health and Environment](#) ⇔25.8.

Regulation and use of airports and services in general, see [Aviation](#) ⇔ 224.

## Encyclopedias

Appropriations of federal funds in general, see [C.J.S. United States](#) § 123.

Federal environmental regulation in general, see [C.J.S. Health and Environment](#) § 61 et seq.

Regulation and use of airports in general, see [C.J.S. Aeronautics and Aerospace](#) § 64.

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